

Senate File 340 - Reprinted

SENATE FILE _____
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SSB 1238)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to motor vehicle registration and driver
2 licensing services provided by county treasurers and providing
3 for the collection of certain fees, fines, and penalties.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 SF 340
6 dea/cc/26

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1 1 Section 1. Section 321.40, Code 2005, is amended by adding
1 2 the following new unnumbered paragraph:
1 3 NEW UNNUMBERED PARAGRAPH. The county treasurer shall
1 4 refuse to renew the registration of a vehicle registered to an
1 5 applicant if the county treasurer knows that the applicant has
1 6 one or more uncontested, delinquent parking tickets issued
1 7 pursuant to section 321.236, subsection 1, paragraph "a",
1 8 owing to the county, or owing to a city with which the county
1 9 has an agreement authorized under section 331.553. However, a
1 10 county treasurer may renew the registration if the treasurer
1 11 determines that an error was made by the county or city in
1 12 identifying the vehicle involved in the parking violation.
1 13 This paragraph does not apply to the transfer of a
1 14 registration or the issuance of a new registration.
1 15 Notwithstanding section 28E.10, a county treasurer may utilize
1 16 the department's vehicle registration and titling system to
1 17 facilitate the purposes of this paragraph.

1 18 Sec. 2. Section 321.218A, Code 2005, is amended to read as
1 19 follows:

1 20 321.218A CIVIL PENALTY == DISPOSITION == REINSTATEMENT.

1 21 When the department suspends, revokes, or bars a person's
1 22 driver's license or nonresident operating privilege for a
1 23 conviction under this chapter, the department shall assess the
1 24 person a civil penalty of two hundred dollars. However, for
1 25 persons age nineteen or under, the civil penalty assessed
1 26 shall be fifty dollars. The civil penalty does not apply to a
1 27 suspension issued for a violation of section 321.180B. The
1 28 money collected by the department under this section shall be
1 29 transmitted to the treasurer of state who shall deposit the
1 30 money in the juvenile detention home fund created in section
1 31 232.142. A temporary restricted license shall not be issued
1 32 or a driver's license or nonresident operating privilege
1 33 reinstated until the civil penalty has been paid. A person
1 34 assessed a penalty under this section may remit the civil
1 35 penalty along with a processing fee of five dollars to a
2 1 county treasurer authorized to issue driver's licenses under
2 2 chapter 321M, or the civil penalty may be paid directly to the
2 3 department.

2 4 Sec. 3. Section 321.236, subsection 1, paragraph a, Code
2 5 2005, is amended to read as follows:

2 6 a. May be charged and collected upon a simple notice of a
2 7 fine payable to the city clerk ~~or clerk of the district court,~~
2 8 if authorized by ordinance. The fine for each violation
2 9 charged under a simple notice of a fine shall be established
2 10 by ordinance. The fine may be increased by five dollars if
2 11 the parking violation is not paid within thirty days of the
2 12 date upon which the violation occurred, if authorized by
2 13 ordinance. Violations of section 321L.4, subsection 2, may be
2 14 charged and collected upon a simple notice of a one hundred
2 15 dollar fine payable to the city clerk ~~or clerk of the district~~
2 16 ~~court,~~ if authorized by ordinance. No costs or other charges
2 17 shall be assessed. All fines collected by a city pursuant to
2 18 this paragraph shall be retained by the city and all fines

2 19 collected by a county pursuant to this paragraph shall be
2 20 retained by the county, except as provided by an agreement
2 21 between a city and a county treasurer for the collection of
2 22 finer pursuant to section 331.553, subsection 7.

2 23 Sec. 4. Section 321.236, subsection 1, Code 2005, is
2 24 amended by adding the following new paragraphs:

2 25 NEW PARAGRAPH. d. If the local authority regulating the
2 26 standing or parking of vehicles under this subsection is a
2 27 county or is a city which has an agreement with a county
2 28 treasurer by which the renewal of registration of a vehicle
2 29 shall be refused for uncontested and unpaid parking fines
2 30 under section 321.40, the simple notice of a fine under
2 31 paragraph "a" shall contain the following statement:

2 32 "FAILURE TO PAY PARKING FINES OWED BY YOU CAN BE GROUNDS
2 33 FOR REFUSING TO RENEW YOUR MOTOR VEHICLE'S REGISTRATION."

2 34 This paragraph "d" does not invalidate forms for notice of
2 35 parking violations in existence prior to July 1, 2007.

3 1 Existing forms may be used until supplies are exhausted.

3 2 NEW PARAGRAPH. e. Cities that enter into chapter 28E
3 3 agreements for the collection of delinquent parking fines in
3 4 conjunction with renewal of motor vehicle registrations
3 5 pursuant to section 321.40 shall be responsible for computer
3 6 programming costs incurred by the department to accommodate
3 7 the collection and dissemination of delinquent parking ticket
3 8 information to county treasurers, with each such city paying a
3 9 per capita share of the costs as provided in this paragraph.

3 10 The department's programming costs shall be paid by the first
3 11 city to enter into such an agreement. Thereafter, cities that
3 12 enter into such agreements on or before June 30, 2010, shall
3 13 pay a pro rata share of the department's programming costs on
3 14 or before September 30, 2010, to the city which first paid the
3 15 costs, based on the respective populations of each city as of
3 16 the last decennial census.

3 17 Sec. 5. Section 321A.32A, Code 2005, is amended to read as
3 18 follows:

3 19 321A.32A CIVIL PENALTY == DISPOSITION == REINSTATEMENT.

3 20 When the department suspends, revokes, or bars a person's
3 21 driver's license or nonresident operating privilege under this
3 22 chapter, the department shall assess the person a civil
3 23 penalty of two hundred dollars. However, for persons age
3 24 nineteen or under, the civil penalty assessed shall be fifty
3 25 dollars. The money collected by the department under this
3 26 section shall be transmitted to the treasurer of state who
3 27 shall deposit the money in the juvenile detention home fund
3 28 created in section 232.142. A temporary restricted license
3 29 shall not be issued or a driver's license or nonresident
3 30 operating privilege reinstated until the civil penalty has
3 31 been paid. A person assessed a penalty under this section may

3 32 remit the civil penalty along with a processing fee of five
3 33 dollars to a county treasurer authorized to issue driver's
3 34 licenses under chapter 321M, or the civil penalty may be paid
3 35 directly to the department.

4 1 Sec. 6. Section 321M.5, subsection 2, paragraph a, Code
4 2 2005, is amended to read as follows:

4 3 a. Responsibility for collection of, and accounting for,
4 4 any fees and penalties associated with the licensing process.

4 5 Sec. 7. Section 321M.9, subsection 1, Code 2005, is
4 6 amended to read as follows:

4 7 1. FEES TO COUNTIES. Notwithstanding any other provision
4 8 in the Code to the contrary, the county treasurer of ~~any~~ a
4 9 county authorized to issue driver's licenses under this
4 10 chapter shall retain for deposit in the county general fund
4 11 seven dollars of fees received for each issuance or renewal of
4 12 driver's licenses and nonoperator's identification cards, but
4 13 shall not retain any moneys for the issuance of any persons
4 14 with disabilities identification devices. The five dollar
4 15 processing fee charged by a county treasurer for collection of
4 16 a civil penalty under section 321.218A or 321A.32A shall be
4 17 retained for deposit in the county general fund. The county
4 18 treasurer shall remit the balance of fees and all civil
4 19 penalties to the department.

4 20 Sec. 8. Section 331.553, Code 2005, is amended by adding
4 21 the following new subsection:

4 22 NEW SUBSECTION. 7. Pursuant to an agreement under chapter
4 23 28E, collect delinquent parking fines on behalf of a city in
4 24 conjunction with renewal of motor vehicle registrations
4 25 pursuant to section 321.40. If the agreement provides for a
4 26 fee to be paid to or retained by the county treasurer from the
4 27 collection of parking fines, such fees shall be credited to
4 28 the county general fund. Fines collected pursuant to this
4 29 subsection shall be remitted biannually to the city.

4 30 Notwithstanding section 28E.10, a county treasurer may utilize
4 31 the state department of transportation's vehicle registration
4 32 and titling system to facilitate the purposes of this
4 33 subsection.
4 34 Sec. 9. Section 331.557A, Code 2005, is amended by adding
4 35 the following new subsection:
5 1 NEW SUBSECTION. 3A. Accept payment of civil penalties
5 2 pursuant to sections 321.218A and 321A.32A and remit the
5 3 penalties to the state department of transportation.
5 4 Sec. 10. Section 364.2, Code 2005, is amended by adding
5 5 the following new subsection:
5 6 NEW SUBSECTION. 5. If provided by ordinance, a city may
5 7 enter into a chapter 28E agreement for the collection of
5 8 delinquent parking fines by a county treasurer pursuant to
5 9 section 321.40 at the time a person applies for renewal of a
5 10 motor vehicle registration, for violations that have not been
5 11 appealed or for which appeal has been denied. The city may
5 12 pay the treasurer a reasonable fee for the collection of such
5 13 fines, or may allow the county treasurer to retain a portion
5 14 of the fines collected, as provided in the agreement.
5 15 Sec. 11. EFFECTIVE DATE. This Act takes effect July 1,
5 16 2007.
5 17 SF 340
5 18 dea:nh/cc/26